

VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
MINUTES
APRIL 11, 2012

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine and the Advisory Committee of the Joint Boards of Nursing and Medicine was convened at 9:05 A.M., in Board Room 1, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Patricia M. Selig, RN, FNP, PhD; Chair
Allison Gregory, RN, LNP
Louise D. Hartz, Citizen Member
Robert Hickman, MD

MEMBERS ABSENT: Claudette Dalton, MD
Wayne Reynolds, DO

ADVISORY COMMITTEE
MEMBERS PRESENT: Barbara Kirkland, RN, CNM
Carola Bruflat, RN, WHNP
Mary Duggan, RN, FNP
Tom Watters, RN, CRNA

ADVISORY COMMITTEE
MEMBERS ABSENT: Joseph Borzelleca, Jr, MD, MPH
Thomas Pajewski, PhD, MD
Ranjit Pullarkat, MD
Carlton Everhart, MD, FAAFP

STAFF PRESENT: Jay P. Douglas, RN, MSM, CSAC, Executive Director, Board of Nursing
Gloria Mitchell, RN, MSN, MBA, Deputy Executive Director, Board of Nursing
William Harp, MD, Executive Director, Board of Medicine
Amy Davis, Executive Assistant, Board of Nursing

OTHERS PRESENT: Elaine Yeatts, Senior Policy Analyst, Department of Health Professions
Howard Casway, Senior Assistant Attorney General
Arne Owens, Chief Deputy Director, Department of Health Professions

ESTABLISHMENT OF
A QUORUM: With four members of the Committee present, a quorum was established.

INTRODUCTIONS: Committee members, Advisory Committee members, staff and individuals observing the meeting introduced themselves.

ORDERING OF
AGENDA: Dr. Selig reviewed and ordered the agenda.

MINUTES:

Ms. Hartz moved to accept the minutes from February 15, 2012 as corrected. The motion was seconded and carried unanimously.

NEW BUSINESS:

National Organization of Nurse Practitioner Faculties (NONPD Article:

Dr. Selig stated the article was provided as a source of information to assist in a better understanding of the consensus model.

Update from Medical Society of Virginia (MSV) Telehealth Feasibility Study:

A copy of the article from the MSV regarding the feasibility study completed on behalf of the Virginia Rural Health Association and Virginia Department of Health was provided as information only.

Review of Regulatory Process Related to HB 346, Nurse Practitioners:

Ms. Yeatts reviewed a timeline of promulgation of regulations pursuant to HB346.

- March 10, 2012 – Governor signed HB346; changes to practice of nurse practitioners
- April 11, 2012 – Meeting of regulation committee of the Committee of the Joint Boards to consider draft amendments
- June 13, 2012 – Meeting of Committee of the Joint Boards to recommend adoption of amendments
- July 17, 2012 – Meeting of the Board of Nursing to adopt amendments as emergency regulations
- August 3, 2012 – Meeting Executive Committee of the Board of Medicine to adopt amendments as emergency regulations
- August 6, 2012 – Submission of package for Executive Branch review
 - Attorney General
 - Department of Planning and Budget
 - Secretary of Health and Human Resources
 - Office of the Governor
- December 14, 2012 – Deadline for submission of emergency regulation to the Register of Regulations; regulation becomes effective as soon as submitted
- Publication of the Notice of Intended Regulatory Action (NOIRA) in next copy of Register to begin the process of replacing Emergency Regulations – 30 days of comment on NOIRA

Acknowledgement of Service to Outgoing Advisory Committee Members:

Dr. Selig thanked Ms. Kirkland for her service and contributions to the joint boards.

Public Comment:

Dr. Selig asked if there was anyone that wished to address the Committee at this time and stated that a public comment period will also take place at the Regulation Committee meeting today at 10:00 AM.

There were no public comments made.

Nurse Practitioner Regulation Committee Selection:

Dr. Selig reported that members of the Regulation Committee were selected from the Committee of the Joint Boards of Nursing and Medicine and the Advisory Committee representing nurse practitioners and physicians consisting of herself, Dr. Dalton, Dr. Hickman, Dr. Borzelleca, Ms. Bruflat, Mr. Watters and Ms. Kirkland.

Consideration of Advisory Committee Members:

Dr. Selig summarized the available positions of one CNM, one CRNA and two other categories. Dr. Selig stated that Tom Watters is eligible for another term to the Advisory Committee in the CRNA position and has expressed an interest in reappointment. As there were no additional nominations for this position, Ms. Hartz moved to accept the nomination of Mr. Watters. The motion was seconded and carried unanimously.

Dr. Selig reviewed the nominations for the positions of NP (other categories). Ms. Bruflat and Ms. Duggan are eligible for another term and have expressed an interest in reappointment. Marie Gerardo was also nominated. The Virginia Council of Nurse Practitioners offered support for Ms. Bruflat and Ms. Gerardo. Ms. Gregory moved to reappoint Ms. Bruflat. The motion was seconded and carried unanimously. Dr. Selig called for a vote for the reappointment of Ms. Duggan. Ms. Duggan was elected with a unanimous vote.

Dr. Selig reviewed the nominations for the CNM position on the Advisory Committee. Ms. Kirkland has already served two years and is not eligible for reappointment. Nominations include Wendy Dotson, Sherrie Doss and Wendy Graefe. Letters of support from the American College of Nurse Midwives were received for Ms. Dotson and Ms. Doss. Ms. Graefe was recommended by Dr. Harp. Dr. Selig called for a vote in the order of the names listed. Ms. Dotson was elected with a vote of three to one.

Dr. Selig thanked all nominees for their willingness to serve. Nominees will be notified by Ms. Douglas of the outcome.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATION:

CLOSED SESSION: Ms. Gregory moved to the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to 2.2-3711(A)(27) of the Code of Virginia at 9:35 A.M. for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Gregory moved that Ms. Douglas, Ms. Mitchell, Mr. Owens, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their

presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:03 A.M.

Ms. Gregory moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Laura Ayers, RN, LNP 0001-062815, 0024-062815, 0017-139087

Ms. Ayers did not appear.

Dr. Hickman moved that the Committee of the Joint Boards of Nursing and Medicine modify the recommendation of the agency subordinate to indefinitely suspend the prescriptive authority of Laura Ayers until such time as Ms. Ayers enrolls in and successfully completes a Committee approved continuing education course on prescribing practices of not less than 10 hours. The motion was seconded and carried unanimously.

ADJOURNMENT:

As there was no further business, the Committee of the Joint Boards of Nursing and Medicine and the Advisory Committee adjourned at 10:05 A.M.

Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director